

REMARKS

This amendment is responsive to the communication of January 5, 2004. Reconsideration of claims **1-9, 12-14, and 16-19** is respectfully requested.

The Office Action

The specification was objected to as failing to provide proper antecedent basis for the claimed subject matter.

Claims 1-3 and 7 stand rejected under 35 U.S.C. §102(e) as being anticipated by Tung (US patent No. 5,842,297).

Claim 4 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Tung (US patent No. 5,842,297) in view of Lea (US Patent Publication 20010038539A1).

Claim 5 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Tung (US patent No. 5,842,297) in view of Tokuhaga (US Patent No. 5,375,043).

Claims 6 and 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tung (US patent No. 5,842,297) in view of Yamana (US Patent No. 5,418,384).

Claim 9 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Tung (US patent No. 5,842,297) in view of Lin (US Patent No. 6,464,366).

Claims 11-13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gwo-Juh (US patent No. 6,164,791).

Claim 14 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Gwo-Juh (US patent No. 6,164,791) in view of Lea (US Patent Publication 20010038539A1).

Claims 16, 18, and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Pelka (US patent No. 6,473,554).

Claim 17 was objected to as being dependent on the rejected base claim. Claim 17 was indicated to include an allowable subject matter.

Claims 10-11 and 15 have been cancelled.

Claims 1, 12, 16, 17 have been amended.

Non-Art objections

The objections to the specification have been alleviated by the appropriate amendments. It is respectfully requested that the objections to the specification be withdrawn.

Claim 17 is Allowable

Claim 17 has been written in an independent form. It is therefore respectfully submitted that claim 17 is allowable.

Claims 1-9 Distinguish over References

Claim 1 has been amended to include the limitations of previously cancelled claim 10. Claim 1 calls for a first sub-set of light emitting diodes emitting light having a first color; and a second sub-set of light emitting diodes emitting light having a second color that mixes with the first color in the wave guide to produce a third color. Neither Tung, nor a combination of the references discloses or suggests mixing various LEDs to produce a third color. It is therefore respectfully submitted that **claim 1 and dependent claims 2-9** distinguish patentably over Tung.

Turning now to **claim 9**, in addition to being distinguished because of its relationship to claim 1, claim 9 calls for a refractive index-matching material disposed at least between the plurality of light emitting diodes and the wave guide. It is alleged that Lin discloses such an index matching material. Lin discloses a light homogenizing section provided between the light source and the light guide for improving the illumination uniformity close to the light source. (Col. 5, lines 34-37). Light homogenizing material is not a refractive index-matching material. Therefore, **claim 9** distinguishes patentably and unobviously over Tung and Lin, taken singularly or in combination.

Claims 12-14 Distinguish over References

Claim 12 was amended in an independent form to include all limitations of now cancelled claim 11. Claim 12 calls for among other limitations: forming a pre-selected light output pattern viewable outside the wave guide. Referring to Figs. 5 and 13 and col. 1, lines 43-48, it is alleged in the Office Action that Gwo-Juh discloses that the light, scattered by the microstructures, forms a preselected light output pattern. Gwo-Juh is directed to a backlight with a plurality of diffusing structures to form a more uniform backlight effect. A plurality of light guiding surfaces can be formed by a simple design such that the illumination is greatly improved. (Col. 1, lines 44-48). Fig. 13 shows two sets of diffusing units that are alternatively arranged with different angles and crossed over with each other to provide a more uniform backlight effect. (Col. 13, lines

28-30). Fig. 5 shows diffusing units in a shape of concave. (Col. 3, lines 9-11). In contrast, claim 11 calls for arranging the microstructures selectively such that the directional light is produced to form particular patterns as opposed to Gwo-Juh where the diffused light is produced to form an uniform illumination. Nowhere does Gwo-Juh disclose or suggest microstructures that are selectively pre-arranged to produce a patterned directional light output. It is therefore respectfully submitted that **claim 12 and dependent claims 13-14** distinguish patentably and unobviously over Gwo-Juh.

Claims 16 and 18-19 Distinguish over References

Claim 16 calls for among other limitations: a substantially planar light emissive face, and a curved textured bottom surface. Pelka discloses a wave guide 42b which has a dimple 74 disposed on a top surface 56 of the wave guide 42b. (Col. 10, lines 36-39). The bottom surface of the wave guide 42b is planar as well as the top surface 56 of the dimple. (Fig. 11). The microstructures 54 are disposed on the bottom planar surface 58, or, alternatively, on the planar top surface 56. (Col. 8, lines 13-16, figs. 4, 4A, 4B). To the contrary, Applicants disclose microstructures disposed on the curved bottom surface of the wave guide. Nowhere does Pelka discloses or suggests a wave guide having a planar top surface and a curved textured bottom surface as disclosed in claim 16. It is therefore respectfully submitted that **claim 16 and dependent claims 18-19** distinguish patentably and unobviously over Pelka.

CONCLUSION

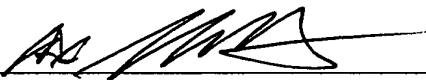
For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1-9, 12-14, and 16-19) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to telephone Scott McCollister, at (216) 861-5582.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

March 31, 2004
Date



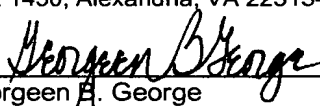
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Certificate of Mailing

Under 37 C.F.R. § 1.8, I certify that this Amendment is being

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MARCH 31, 2004
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